

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

IN RE:)	
)	
BUCKS COUNTY ONCOPLASTIC)	
INSTITUTE, LLC)	Case No: 3:09-bk-03570
)	Chapter 7
)	Judge Harrison
Debtor.)	

**AMENDED DECLARATION REGARDING MOTION TO EMPLOY DILWORTH
PAXSON LLP AS SPECIAL COUNSEL TO REPRESENT THE TRUSTEE IN
DELAWARE BANKRUPTCY COURT**

I, Peter C. Hughes, do hereby verify under penalty of perjury as follows:

1. On December 12, 2019, the Trustee in the above-captioned matter, Eva M. Lemeh, filed an Expedited Motion to Employ Special Counsel to Represent Trustee in Delaware Bankruptcy Court (the "Motion to Employ"). The Motion to Employ includes as Appendix "A" a verification regarding any connection of Dilworth Paxson LLP with the Debtor, the Creditors, or any other party in interest, their respective attorneys and accountants.

2. At the time the Motion to Employ was filed, Dilworth Paxson LLP had run a conflict check regarding the following parties:

Eva M. Lemeh, as Chapter 7 Trustee for Bucks County Oncoplastic LLC;
DSI Renal Holdings, LLC;
DSI Facility Development, LLC;
DSI Hospitals, Inc.; and
Health Claim Recovery, LLC.

Dilworth has no connection or conflict with respect to any of these parties.

3. Dilworth seeks employment as special counsel pursuant to 11 U.S.C. § 327(e). In contrast to employment under 11 U.S.C. § 327(a), employment as special counsel pursuant to 11 U.S.C. § 327(e) does not require that counsel be "disinterested". Accordingly, any connections or

conflicts relating to creditors in this bankruptcy case are not relevant to whether Dilworth can be retained as special counsel. Rather, it is sufficient under 11 U.S.C. § 327(e) that Dilworth does not represent or hold any interest adverse to the Debtor or to the estate with respect to the matter on which Dilworth is to be employed.

4. Nevertheless, following the filing of the Motion to Employ, Dilworth has reviewed the service list in this bankruptcy case and determined that the Declaration attached to the Motion to Employ is incorrect and is therefore hereby amended.

5. Dilworth does represent certain parties who are creditors and parties in interest in this case with respect to matters unrelated to this bankruptcy case. For example, Dilworth represents creditors Airgas, Independence Blue Cross/Blue Shield, and Laboratory Corp. of America in matters unrelated to this bankruptcy case, and may represent other creditors and parties in interest in matters unrelated to the Debtor.

6. Dilworth does not represent or hold any interest adverse to the Debtor or to the estate with respect to the matter on which it seeks employment – the claims objection regarding the Delaware Claim – and therefore respectfully submits that employment as special counsel under section 327(e) is appropriate.

Dated: December 13, 2019

/s/ Peter C. Hughes
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Respectfully Submitted,

/s/ Eva M. Lemeh

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